



March 2, 1999

SENATE BILL No. 577

DIGEST OF SB 577 (Updated February 26, 1999 11:29 am - DI 44)

Citations Affected: Noncode.

Synopsis: Youth offender study committee. Establishes the youth offender study committee to study issues related to the incarceration of persons less than 18 years of age, including (1) enrollment of each youth offender in an appropriate educational program, and (2) restriction of each youth offender to an area of the facility or program where the youth offender at all times has complete sight and sound separation from adults who are charged with, imprisoned for, or incarcerated for offenses. Provides that the committee is to operate under the direction of the legislative council.

Effective: June 1, 1999 (retroactive).

Meeks C

January 21, 1999, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
February 11, 1999, reported favorably — Do Pass; reassigned to Committee on Finance.
March 1, 1999, amended, reported favorably — Do Pass.

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March 2, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 577

A BILL FOR AN ACT concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. [EFFECTIVE JUNE 1, 1999 (RETROACTIVE)]: (a)
2 **The following definitions apply throughout this SECTION:**
3 (1) "Committee" refers to the youth offender study committee
4 established by subsection (b).
5 (2) "Youth offender" means an offender (as defined in
6 IC 11-8-1-9) who is:
7 (A) committed to the department of correction; and
8 (B) less than eighteen (18) years of age.
9 (b) The youth offender study committee is established.
10 (c) The committee consists of ten (10) members to be appointed
11 as follows:
12 (1) Four (4) senators appointed by the president pro tempore
13 of the senate in consultation with the minority leader of the
14 senate, not more than two (2) of whom may be members of the
15 same political party.
16 (2) Four (4) representatives appointed by the speaker of the

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house of representatives in consultation with the minority leader of the house of representatives, not more than two (2) of whom may be members of the same political party.

(3) The commissioner of the department of correction or the commissioner's designee.

(4) The budget director or the budget director's designee.

(d) The term of a member of the committee described in subsection (c)(1) through (c)(2) expires on December 31 of the even-numbered year following the member's appointment.

(e) A vacancy on the committee shall be filled by appointment of a replacement member for the unexpired term. The appointing authority who appointed the vacating member shall appoint the replacement member.

(f) The president pro tempore of the senate shall appoint a member of the committee to serve as chairperson of the committee during the first regular session of a general assembly and as vice chairperson during the second regular session. The speaker of the house of representatives shall appoint a member of the committee to serve as vice chairperson during the first regular session of a general assembly and as chairperson during the second regular session.

(g) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, on interim study committees established by the legislative council.

(h) The committee shall study and may make recommendations concerning all issues related to the following:

(1) Enrollment of each youth offender in an appropriate educational program, including:

(A) special or remedial education;

(B) a program in preparation for:

(i) a high school equivalency certificate; or

(ii) a state of Indiana general educational development (GED) diploma; or

(C) postsecondary or vocational education.

(2) Restriction of each youth offender to an area of a facility or program where the offender at all times has complete sight and sound separation from adults who are at least eighteen (18) years of age and charged with, imprisoned for, or incarcerated for offenses.

(3) Restriction of each person who is less than eighteen (18) years of age who is confined in a county jail to an area where

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1 the person at all times has complete sight and sound
2 separation from adults who are at least eighteen (18) years of
3 age and charged with, imprisoned for, or incarcerated for
4 offenses.

5 (i) The committee shall do the following:

6 (1) Operate under the direction of the legislative council.

7 (2) Issue reports when directed to do so by the legislative
8 council.

9 (j) The affirmative votes of a majority of the members
10 appointed to the committee are required for the committee to take
11 action on any measure, including final reports.

12 (k) Staff and administrative support for the committee shall be
13 provided by the legislative services agency.

14 (l) This SECTION expires December 31, 1999.

15 SECTION 2. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil and Procedures, to which was referred Senate Bill No. 577, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Finance.

(Reference is made to Senate Bill 577 as introduced.)

MEEKS R, Chairperson

Committee Vote: Yeas 6, Nays 4.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred Senate Bill No. 577, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning corrections.

Page 1, delete lines 1 through 15, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE JUNE 1, 1999 (RETROACTIVE)]: (a)

The following definitions apply throughout this SECTION:

(1) "Committee" refers to the youth offender study committee established by subsection (b).

(2) "Youth offender" means an offender (as defined in IC 11-8-1-9) who is:

(A) committed to the department of correction; and

(B) less than eighteen (18) years of age.

(b) The youth offender study committee is established.

(c) The committee consists of ten (10) members to be appointed as follows:

(1) Four (4) senators appointed by the president pro tempore of the senate in consultation with the minority leader of the senate, not more than two (2) of whom may be members of the same political party.

(2) Four (4) representatives appointed by the speaker of the house of representatives in consultation with the minority leader of the house of representatives, not more than two (2) of whom may be members of the same political party.

(3) The commissioner of the department of correction or the commissioner's designee.

(4) The budget director or the budget director's designee.

(d) The term of a member of the committee described in subsection (c)(1) through (c)(2) expires on December 31 of the even-numbered year following the member's appointment.

(e) A vacancy on the committee shall be filled by appointment of a replacement member for the unexpired term. The appointing authority who appointed the vacating member shall appoint the replacement member.

(f) The president pro tempore of the senate shall appoint a member of the committee to serve as chairperson of the committee during the first regular session of a general assembly and as vice chairperson during the second regular session. The speaker of the house of representatives shall appoint a member of the committee



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to serve as vice chairperson during the first regular session of a general assembly and as chairperson during the second regular session.

(g) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, on interim study committees established by the legislative council.

(h) The committee shall study and may make recommendations concerning all issues related to the following:

(1) Enrollment of each youth offender in an appropriate educational program, including:

(A) special or remedial education;

(B) a program in preparation for:

(i) a high school equivalency certificate; or

(ii) a state of Indiana general educational development (GED) diploma; or

(C) postsecondary or vocational education.

(2) Restriction of each youth offender to an area of a facility or program where the offender at all times has complete sight and sound separation from adults who are at least eighteen (18) years of age and charged with, imprisoned for, or incarcerated for offenses.

(3) Restriction of each person who is less than eighteen (18) years of age who is confined in a county jail to an area where the person at all times has complete sight and sound separation from adults who are at least eighteen (18) years of age and charged with, imprisoned for, or incarcerated for offenses.

(i) The committee shall do the following:

(1) Operate under the direction of the legislative council.

(2) Issue reports when directed to do so by the legislative council.

(j) The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measure, including final reports.

(k) Staff and administrative support for the committee shall be provided by the legislative services agency.

(l) This SECTION expires December 31, 1999.

SECTION 2. An emergency is declared for this act.".

Delete pages 2 through 6.

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and when so amended that said bill do pass.

(Reference is to SB 577 as introduced.)

BORST, Chairperson

Committee Vote: Yeas 13, Nays 1.

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